

FACT SHEET

FACT SHEET FOR THE REISSUANCE OF A NPDES PERMIT

U.S. Environmental Protection Agency
Region 5, NPDES Programs Branch - WN-16J
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 353-2105

Permit No.: MI-0054640-2

Public Notice No.: 02-09-01-A

Application No.: MI-0054640-2

Public Notice Issued On: 9/26/02
Comment period ends: 10/25/02

Name and Address of Applicant:

Name and Address of Facility
Where
Discharge Occurs:

Grand Traverse Band of Ottawa
Chippewa Indians
Box 135, Route #1
Suttons Bay, Michigan 49682

Peshawbestown Wastewater and
Treatment Plant
Putnam Road
Suttons Bay, Michigan
Leelanau County
(N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of
S2, T30N, R11W)

Receiving Water: Grand Traverse Bay

DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE

The above-named applicant has applied for an NPDES Permit to discharge into the designated receiving water. The permit will be issued by the U.S. Environmental Protection Agency (EPA).

The application and plans indicate that the permittee operates a 0.12 million gallons per day (mgd) Sequencing Batch Reactor (SBR) system with phosphorus removal followed by ultraviolet disinfection. Solids from the SBR unit are wasted to two (2) aerobic digesters. From the digesters, the sludge is land applied by a private contractor to farmland. The discharge is continuous to Grand Traverse Bay. Wastewater is from domestic sources only, including a casino and hotel. The following land application site have been identified. All property is owned by Cherry Bay Orchards.

Site Name	Site Area and Location
Site 1 referred to as Kalchik Apples	155 acres Section 8 Suttons Bay Township Leelenau County, Michigan T-30-N, R-11W
Site 2 referred to as Ance	69 acres Section 5 Suttons Bay Township, Leelenau County, Michigan, T-30-N, R-11W
Site 3 referred to as Vingsnea Tarts	140 acres Section 4 Suttons Bay Township, Leelenau County, Michigan T-30-N, R 11W
Site 4 referred to as Solem/Solar	142 + 72 acres Sections 3 and 4 Suttons Bay Township, Leelenau County, Michigan T-30-N, R-11W
Sit 5 referred to as Nelson	75 + 24 acres Sections 5 and 8 Suttons Bay Township, Leelenau County, Michigan, T-30-N, R-11W

The draft permit requires the applicant to meet the following effluent limitations:

Parameter	30-day average	7-day average
CBOD ₅	12 mg/l	20 mg/l
Total Suspended Solids	15 mg/l	23 mg/l
pH	6.5 (minimum)	9 (maximum)
Total Phosphorus	1.0 mg/l	
Dissolved Oxygen	4.0 mg/l (daily minimum)	
Fecal Coliform	200 organisms/100 ml	400 organisms/100 ml

Basis for limits: The limits were developed to ensure compliance with 40 CFR Parts 131 and 133 and protection of Michigan water quality standards where they are applicable. Since the last permit, the permittee has expanded the facility, doubling its initial capacity of 0.06 mgd. Because of antidegradation concerns, the load limits from the previous permit are included in this permit. New concentration limits were back calculated using the existing load limits and the increased flow value of 0.12 mgd. The permittee's past performance has shown that it can comply with these new limits. The permit also requires monitoring for Ammonia Nitrogen (as N) and mercury (as total Hg). Also, EPA is moving in the direction of using E. coli, which is a better indicator of recreational suitability, instead of fecal coliform. The 30-day average limit for E. coli, based on EPA's water quality criteria, would be 126 E. coli/100 ml. The permittee is to use this permit term to determine if the facility is capable of complying with the projected E. coli limit using the existing treatment. Based on comparison monitoring, if it is

shown that additional treatment is needed to comply with the projected limit, the additional treatment shall be in place prior to the issuance of the next permit or a request for a variance for the projected limit shall be submitted with the permit renewal application.

EPA is in the process of satisfying its requirements under the Endangered Species Act and the National Historical Preservation Act. Letters to the U.S. Fish and Wildlife Service and the State Historic Preservation Officer (SHPO) are included as part of the administrative record. As this is an existing facility, we do not believe the discharge will have any effect on historic properties or threatened or endangered species. Concurrence has been received from the Fish and Wildlife Service as to no effect and is included as part of the record. As concurrence is received from the SHPO, the letter will become part of the record.

SPECIAL CONDITIONS

1. The treatment plant shall be operated by a certified wastewater treatment operator. Since EPA does have its own classification system for operators or wastewater facilities, we have used Michigan's guidelines for classification of the facility. We believe it meets the requirements of a Class B facility because of the complexities of the treatment processes and the discharge location.
2. The permit contains Industrial Waste Pretreatment Program requirements in accordance with 40 CFR Parts 122 and 403.
3. Compliance with 40 CFR Part 503 (sludge use and disposal regulations) (Part III of the permit). Part III was developed using the Part 503 Implementation Guidance for sludge and 40 CFR Parts 122, 501, and 503.
4. In addition to Part III of the permit, the permit requires the following:
 - A. Only the sites identified above shall be used for the land application of sewage sludge by the permittee. If the permittee wishes to use additional sites not identified in the permit application prior to the expiration date of this permit, the permittee shall submit a request to the Chief of the NPDES Programs Branch containing the information listed in 1 through 5 below. Upon receipt of the information, the permit may be modified with public notice.
 1. certification that the application contractor has received all necessary information to comply with applicable provisions of 40 CFR Part 503;
 2. Site location by latitude and longitude, and code number to identify field or field portion.
 - Plat map showing location of the site relative to local landmarks.
 - Proximity to surface waters of the United States.
 - Potential presence of endangered species.

- Soil fertility test with fertilizer recommendations.
 - Previous crop and future crop with yield goal.
 - Participation Agreement signed by the landowner or operator, if different, of the site to receive sludge.
 - Determination whether the site has previously been used for sewage sludge applications.
 - If previously used, determination of cumulative pollutant loading rate since July 19, 1993;
3. certification that the local township supervisor has been notified that a site has been identified and is intended for use;
 4. certification that the County Health Department has been notified that hauling is scheduled to take place; and
 5. certification that notice has been provided to landowners and occupants adjacent to, or abutting the proposed land application site. Such notice shall be accomplished by one of the following: written notice through the regular mail; public notice in the local newspaper; public reading of notice at open local public meeting.
- B. Duty to Mitigate. The permittee shall take all reasonable steps to minimize any sludge use or disposal in violation of this permit.
- C. If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or Part 503, the results of this monitoring shall be included in the reporting of data submitted to the Agency.
- D. The permittee shall comply with existing federal regulations governing sewage sludge disposal.
- E. The permittee shall comply with standards for sewage sludge use or disposal established under Section 405(d) of the Act within the time provided in the regulations that establish the standards for sewage sludge use or disposal even if the permit has not been modified to incorporate the requirement.
- F. The permittee shall ensure that the applicable requirements in 40 CFR Part 503 are met when the sewage sludge is applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator.

As new sites are identified, information on those sites will be available for inspection at the Regional office.

TENTATIVE DETERMINATION

On the basis of preliminary staff review and application of applicable standards and regulations, the Regional Administrator of EPA, Region 5 proposes to reissue a permit for the discharge subject to certain effluent limitations and special conditions.

COMMENT PROCEDURES

The determination to issue an NPDES Permit is tentative. Interested persons are invited to submit written comments on the draft permit. EPA's comment and public hearing procedures may be found at 40 CFR 124.10, 124.11, 124.12, and 124.13. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permit may be submitted extends for 30 days from the date of this notice.
2. During the comment period, any interested person may request a public hearing by filing a written request which must state the issues to be raised. The last day for filing a request for public hearing is 30 days from the date of this notice.
3. In appropriate cases, including those where there is significant public interest, the EPA Regional Administrator may hold a public hearing. A decision has not yet been made as to whether a public hearing will be held for this permit. Public notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons on the EPA mailing list at least 30 days prior to the hearing.
4. Comments received later than 30 days from the date of this public notice may be considered in the formulation of the final determinations.
5. Written comments of request for a public hearing must be delivered or mailed to:

John A. Colletti
U.S. Environmental Protection Agency
Region 5
NPDES Programs Branch - WN-16J
77 West Jackson Boulevard
Chicago, Illinois 60604

Under 40 CFR Part 124.17, EPA will issue a response to comments at the time a final permit decision is made. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision.

The application and public notice numbers should appear next to the EPA address on the envelope and on each page of any submitted comments.

PETITION TO REVIEW

Within 30 days following the service of notice of the Regional Administrator's final permit decision, any person who filed comments on the draft permits or participated in a public hearing, if held, may petition the Environmental Appeals Board to review any condition of the permit decision. The petition should

be sent to the following address: Environmental Appeals Board, MC 1103B, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460.

AVAILABILITY OF DOCUMENTS

The application, draft permit, including proposed effluent limitations and special conditions, fact sheet, and other documents contained in the administrative record, are available for inspection and may be copied at a cost of 15 cents per page at the Chicago Regional offices of the Environmental Protection Agency anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday. You may also view the public notice, fact sheet, and draft permits on Region 5's website at "<http://www.epa.gov/r5water/npdestek/npdcfrp.htm>". All data submitted by the applicants are available as part of the administrative records. For more information, please contact John Colletti at (312) 886-6106 or by e-mail at 'colletti.john@epa.gov'.

Unless a public hearing is scheduled, EPA will issue a final determination as to the reissuance of a permit in a timely manner after the expiration of the public comment period. Please bring the foregoing to the attention of persons whom you know would be interested in this matter.

The permit is based on an NPDES application dated January 27, 2000, and additional documents found in the administrative record.

Five year permit is proposed as allowed by regulation.

Written by: Sreedevi Yedavalli/John Colletti September 2002